

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(2000)**

<u>CASE NAME NUMBER/DATE</u>	<u>VIOLATIONS DESCRIPTION/ DISCIPLINARY RULES</u>	<u>HEARING OFFICER RECOMMEND</u>	<u>COMMISSION RECOMMEND</u>	<u>COURT SANCTION</u>	<u>COMMENTS</u>
<u>Allen, Gove L.</u> 12/29/00 DC Nos. 97-0218 97-1279 98-1299 SB-00-0097-D (By Judgment)	Respondent failed to provide diligent and competent representation in 2 separate matters, a guardianship and a criminal case, with a record of prior discipline. ER 1.1 ER 1.2 ER 1.3 ER 1.4 ER 1.15 ER 1.16 ER 3.2 ER 3.4 ER 8.4 ER 8.4(d)	Accept Agreement for Censure + 18 months Probation (LOMAP) + Ethics	Accept Amended Agreement for Censure + 18 months Probation (LOMAP) + Ethics + Secure professional liability insurance	No discretionary or <i>sua sponte</i> review	In aggravation: 9.22(a) (b) (c) and (i); in mitigation: 9.32(c) (d) (e) (k) and (l). Priors IR + Censure
<u>Allen, Steven W.</u> 04/26/00 DC No. 97-2139 SB-00-0025-D (By Judgment)	Respondent while assisting clients with their estate planning, used their detailed net worth information to identify prospective investors for a business relationship he had with investment solicitors offering a timber harvest secure loan program. Respondent invited his clients to attend informational meetings about the loan program without requisite competence to counsel his clients. Respondent further failed to ensure that his clients'	Accept Agreement for Censure + 2 years Probation (LOMAP)	Accept Amended Agreement for 30 day Suspension; upon reinstatement, 2 years Probation (LOMAP)	<i>Sua sponte</i> review declined. Justice Fledman voted to grant review stating he would have rejected the Amended Agreement.	No aggravating factors. In mitigation: 9.32(a)(b) (e) and (l).

investments were properly secured, failed to disclose his relationship and possible compensation with the investment solicitors and failed to inform the clients of the mishandling of their investments and financial losses occurred.

ER 1.1 ER 1.4(b) ER 1.6
ER 1.7(b) ER 1.8(a) ER 1.8(f)

Alpert, Brian D.

02/17/00
DC No. 99-1172
SB-99-0085-RD

(By Judgment)

Rule 58(c) Reciprocal Discipline; Sanction is identical to discipline imposed by the Supreme Court of Illinois 5/25/99.

N/A

Disbarment

No discretionary
or *sua sponte*
review

Axford, Nadia B.

10/10/00
DC Nos. 92-1612,
95-0052, 96-0513,
96-3139
SB-00-0068-D

(By Judgment)

Respondent represented several clients in a various legal matters. Respondent thereafter failed to act with diligence and promptness in representing the clients, failed to keep the clients informed as to the case status, sufficiently explain their matters and allow the clients to make informed decisions regarding the objectives of representation. Respondent was also found to have charged unreasonable fees. The client in Count II and III filed a petition for fee arbitration and was awarded. Respondent was directed to

2 year
Suspension &
Restitution; upon
reinstatement, 2
year Probation
(LOMAP)

6 month + 1 day
Suspension &
Restitution; upon
reinstatement, 2
years Probation
(LOMAP)

Petition for
Review denied

In aggravation:
9.22(c) (d) and (i);
in mitigation: 9.32(a)
(b) and (c). Inability
to pay outstanding
judgment is not an ethical
violation.

refund money to the client. The client obtained a judgment for the fees.

ER 1.2 ER 1.3 ER 1.4
ER 1.4(a) ER 1.4(b) ER 1.5(a)
ER 1.5(c) ER 3.1 ER 3.2
ER 8.4(d)

Bertz, James E.

11/08/00
DC No. 00-1906
SB-00-0075-D

(By Order)

Placed on interim suspension 11/08/00
by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Bickart, Allen B.

11/22/00
DC No. 98-1101
SB-00-0090-D

(By Judgment)

Respondent represented a client at a change of plea proceeding. Respondent provided a factual basis for his client, which the client affirmed. Afterwards, the client stated he was innocent. The Respondent then filed a motion to withdraw plea which stated that his client's plea had not been voluntary because he did not adequately consult with the client and very strenuously suggested that the client accept the plea. Respondent further overlooked his obligation to interview the confidential source.

N/A

Accept
Agreement for
Censure

No discretionary
or *sua sponte*
review

In aggravation: 9.22(h)
and (i); in mitigation:
9.32 (a) (b) (d) (e) (g)
and (l).

ER 1.2 ER 1.3 ER 1.4 ER 8.4(d)

Bradshaw, Brent B.

03/15/00

DC Nos. 97-0243

97-1752

SB-99-0084-D

(By Judgment)

Respondent failed to adequately represent his clients and failed to notify parties of his suspension. His lack of diligence caused considerable delays in the proceedings of his clients and in the disciplinary process. Respondent violated orders of the court and disregarded orders of the hearing officer. Respondent further made false statements of material fact to the court and committed a criminal act by his use of narcotics. Failed to respond or cooperate with the State Bar in the investigation of these matters.

ER 1.1 ER 1.3 ER 1.8(f)
ER 3.2 ER 3.3 ER 3.4(c)
ER 4.1 ER 8.1(b) ER 8.4(b)
ER 8.4(c) ER 8.4(d) SCR 51(e)
SCR 51(h) SCR 51(i) SCR 51(k)
SCR 63(a)

Disbarment

Disbarment

Petition for
Review denied

Conduct deemed
admitted by default.
In aggravation:
9.22(a)(b)(c)(d)(e)(h)
and (i); no mitigation.

Carey, Jr., Harland E.

08/25/00

DC No. 99-0075

SB-00-0055-D

(By Judgment)

Respondent represented a client in three separate matters. Respondent failed to diligently represent his client or to notify her that he was terminating his practice. Respondent abandoned his client and the practice of law, causing serious harm to the client including financial loss and the loss of certain legal rights. Respondent failed to respond or cooperate with the State Bar's

Disbarment
Restitution

Disbarment
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed admitted
by default.
In aggravation:
9.22(a) (d) and (i);
in mitigation: 9.32(b)
and (c).

investigation of this matter.

ER 1.2 ER 1.3 ER 1.4
ER 1.5 ER 1.16 ER 3.2
ER 8.4 SCR 51(h) SCR 51(i)

Carragher, Michael A.

09/27/00
DC Nos. 96-1372
97-0283
SB-00-0077-D

(By Judgment)

Respondent was retained to handle a dissolution matter and thereafter appeared in court while in a suspended status. Respondent failed to notify the court, his client, or opposing counsel of his change in membership status. In another matter, Respondent was retained to handle a domestic relations matter. Respondent was advised by the client that his services were no longer necessary and the client requested a partial refund of the retainer. Respondent agreed to the refund but then failed to timely return the agreed amount.

ER 1.15 ER3.4(c) ER 5.5
ER 8.4(c) SCR 44(b)4 SCR 51(e)
SCR 51(k) SCR 63(a)

Accept
Agreement for
Censure + 1 year
Probation (6 hrs.
CLE)

Accept
Agreement for
Censure + 1 year
Probation (6 hrs.
CLE)

No discretionary
or *sua sponte*
review

In aggravation:
9.22(a) (c) (d)
and (i); in mitigation:
9.32(b) (d) (e) and (l).

Creasy, Jr., Frederick C.

10/17/00
DC Nos. 93-0140
93-1509
94-0507
SB-96-0043-D

(By Opinion)

Davis, Gaila V.

03/15/00
DC Nos. 97-1494
97-2161
SB-99-0078-D

(By Judgment)

Respondent violated the order of
disbarment by engaging in the practice
of law.

ER 31(a)(3)

In the first matter, Respondent was retained to establish ownership of a mobile home. Respondent failed to consult with her clients and abide by their decisions concerning the objectives of representatives; failed to act with diligence and promptness; failed to keep the clients reasonably informed as to the status of their case; failed to properly withdraw from representation and protect the clients' interests; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation and conduct prejudicial to the administration of justice. In addition, Respondent was retained to defend a client against a civil action. Respondent again failed to consult with the client and abide by his decision concerning the objectives of representation; failed to act with reasonable diligence and promptness; failed to keep the client reasonably

N/A

Disbarment
Restitution

N/A

Disbarment
Restitution

Found in
contempt of
disbarment order
and ordered to
pay costs and
State Bar's
attorney fees.

Petition for
Review denied

In aggravation:
9.22(a)(d)(e)(f)(h) and (i);
in mitigation: 9.32(d)
and (h).

informed; failed to diligently prosecute the client's claim; and failed to properly defend the client against the civil complaint and failed to properly prosecute a third-party complaint. Respondent also failed to respond to the State Bar's investigation of these matters.

ER 1.2 ER 1.3 ER 1.4
 ER 1.15 ER 1.16 ER 3.2
 ER 8.1 ER 8.4(c)
 ER 8.4(d) SCR 43 SCR 44
 SCR 51(b) SCR 51(h)
 SCR 51(i) SCR 63(a)
 SCR 63(b)

Dawson, Gregory W.

07/18/00
 DC Nos. 95-2286
 97-0460 97-1823
 97-2374 97-2660
 98-0085 98-0439
 98-0881 98-1572
 98-1755 98-1877
 98-2094 98-2099
 98-2109 99-0795
 99-1246 00-0310
 00-0569
 SB-00-0043-D

Respondent did not choose to contest or defend charges, but consented to disbarment.

N/A

N/A

Consent to
 Disbarment &
 Restitution

(By Order)

Dellacona, Dana M.

12/18/00
DC Nos. 97-0775
97-1077 97-1483
97-2363
SB-00-0092-D

(By Judgment)

Respondent's misconduct arose from accepting representation, performing little or no work on clients' cases and then failing to communicate with those clients. Respondent further failed to respond or cooperate with the State Bar's inquiry of these matter.

ER 1.2 ER 1.3 ER 1.4
ER 1.4(a) ER 1.15 ER 1.16
ER 5.3 ER 8.1(b) ER 8.4
ER 8.4(c) ER 8.4(d) SCR 51(h)
SCR 51(i)

Accept
Agreement for 9
month
Suspension
(retroactive) +
Restitution

Accept
Agreement for 9
month
Suspension
(retroactive) +
Restitution

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a) (c)
and (d); in mitigation:
9.32(b)

Distel, Eddie G.

06/12/00
DC No. 00-0680
SB-00-0027-D

(By Order)

Placed on interim suspension 6/12/00 by
Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Motion for
Reconsideration denied.

Farley, David S.

12/18/00
DC Nos. 98-0839
98-2156
SB-00-0088-D

Respondent pled guilty to attempted aggravated assault (a class 4 felony) and unlawful flight from pursuing law enforcement vehicle (a class 5 felony).

ER 8.4(b) SCR 51(a)

Accept
Agreement for 3
year Suspension
(retroactive)

Accept
Agreement for 3
year Suspension
(retroactive)

No discretionary
or *sua sponte*
review

No aggravation; in
mitigation: 9.32(a) (b)
(c) (e) (k) and (l).

(By Judgment)

Firestein, Charles L.

11/22/00
DC Nos. 97-0978
98-1360
SB-00-0087-D

Respondent's misconduct arose from his unauthorized practice in the U.S. Bankruptcy Court for the Southern California District without proper admittance. Respondent was admitted to the central district and believed he was admitted to all district courts in California. Once he became aware of this issue, he promptly paid the application fee and was admitted. In a subsequent matter, Respondent failed to act with diligence/promptness, failed to consult with clients, failed to keep them informed them of the status of the matter and failed to abide by their decision concerning representation. Respondent also made misrepresentations and misstatements to bar counsel.

ER 1.2 ER 1.3 ER 1.4
ER 5.5 ER 8.1 ER 8.4(c)

Accept
Agreement for
Censure + 1 year
Probation
(LOMAP)

Accept
Agreement for
Censure + 1 year
Probation
(LOMAP)

No discretionary
or *sua sponte*
review

In aggravation: 9.32(d) (e)
(f) and (i); in mitigation:
9.32(a) and (l).

(By Judgment)

Fishbein, Mark L.

05/01/00
DC No. 00-0469
SB-00-0024-D

(By Order)

Placed on interim suspension 5/29/00 by
Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Pled guilty to one count
of conspiracy to commit
money laundering.
Stipulation for interim
suspension; practice
monitor to oversee
handling of trust account.

Fletcher, Philip E.

01/14/00
DC Nos. 95-0763
95-0815
96-0737
SB-99-0090-D

(By Judgment)

Respondent failed to pay investigators
and consultants in a timely manner.
Respondent also failed to timely respond
and cooperate with the State Bar.

ER 1.15(b) ER 8.1(b)

Accept
Agreement for
Censure
Probation
(LOMAP +
MAP);
Censure
Probation

Reject
Agreement/
Remand;
Censure
Probation
(LOMAP +
MAP) + resume
child support
payments

No discretionary
or *sua sponte*
review

No aggravation or
mitigation.

Flynn, Danny J.

07/28/00
DC Nos. 98-0575
98-0792 98-1063
98-2057 99-0394
99-0439
SB-00-0046-D

(By Judgment)

Respondent represented one client in
obtaining permanent residency and
failed to perform any legal services. In
another matter Respondent represented
a client in a termination of parental
rights and adoption matter. Respondent
failed to complete representation.
Respondent abandoned the clients,
failed to communicate with them and
failed to return unearned portions of the
retainer. Respondent failed to respond
or cooperate with the State Bar's
inquiry of these matters.

ER 1.1 ER 1.2 ER 1.3 ER 1.4

Disbarment &
Restitution

Disbarment &
Restitution;
access to MAP

Sua Sponte
review declined

Recommend the State Bar
make the appropriate
referral to prosecuting
authorities regarding
misuse of trust accounts.
Conduct deemed admitted
by default. In aggravation:
9.22(d) and
(e); no mitigation.

ER 1.5 ER 1.15 ER 1.16 ER 3.2
ER 8.1(b) ER 8.4(c) ER 8.4(d)
SCR 51(h) SCR 51(i)

Friedman, Robert M.

N/A

N/A

Consent to
Disbarment

Fee arbitration ordered.
Reimbursement to client
protection fund.

01/28/00

DC Nos. 98-0175,
98-2290, 98-2339,
98-2568, 98-2589,
99-0002, 99-0008,
99-0108, 99-0618,
99-0748, 99-0924,
99-1086, 99-1119,
99-1137, 99-1164,
99-1190, 99-1198,
99-1219, 99-1242,
99-1292, 99-1330,
99-1349, 99-1392
99-1432, 99-1440,
99-1512, 99-1687,
99-1690, 99-1695,
99-1845, 99-1862,
99-1976, 99-2052,
SB-99-0088-D

(By Judgment)

07/21/00
DC Nos. 98-1941
98-2590
SB-00-0061-D

Respondent failed to adequately communicate and diligently represent those clients. Respondent failed to file the claim in one matter and to serve the defendant in another. Respondent also made 2 personal loans to one client.

Accept of
Agreement for
Censure + 1 year
Probation
(LOMAP)

Accept of
Agreement for
Censure + 1 year
Probation
(LOMAP)

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a) and (d); in mitigation: 9.32(b)(c) (e) and (m).

05/05/00
DC No. 96-0586
SB-00-0038-D

Respondent, while representing a client in a criminal appeal matter, failed to discuss the case and appeal issues with his client; failed to timely advise the client that his conviction was affirmed and failed to consult with his clients regarding his available options.

Censure
Restitution

Censure
Restitution

No discretionary
or *sua sponte*
review

In aggravation: 9.22(g) and (i); in mitigation: 9.32(a) and (i). Commissioner Cahill dissents.

ER 1.3 ER 1.4 ER 3.3
ER 4.1 ER 8.4

01/13/00
DC Nos. 94-0470
94-1357
94-1818
94-2320
96-0108
SB-99-0089-D

Respondent's misconduct arose from the negligent management and supervision of his employees pursuant to a business agreement with a company that would assist in the collection, garnishment and eviction of tenants for landlord and property management companies. The company was to provide office personnel, equipment, file maintenance, court scheduling, billing statements, accounts receivable, collection records and the disbursement of client funds.

Accept
Agreement for
Censure
+ 2 year
Probation
(LOMAP)

Accept
Agreement for
Censure
+ 2 year
Probation
(LOMAP)

No discretionary
or *sua sponte*
review

No factors present in aggravation; in mitigation; 9.32(a)(b)(d)(e) and (i).

ER 1.3 ER 1.4 ER 1.15
ER 5.3 ER 5.4 ER 8.4(a)

Herbert, Joseph A.

03/23/00
DC No. 97-0752
SB-00-0014-D

(By Judgment)

Respondent represented a partnership in a number of landlord tenant matters. Upon notification that his services were no longer needed, Respondent failed to turn over the client's files and failed to protect his clients upon termination. Additionally, Respondent withdrew funds from the client's account without the client's knowledge or consent.
ER 1.15 ER 1.16(d)

6 month
Suspension

30 day
Suspension

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a)
(b) and (g); no
mitigation.

Hessinger, Joseph J.

01/10/00
DC Nos. 97-0675
97-0845
97-1622
97-2320
97-2546
98-0212
98-0264
98-0284
98-0383
98-0535
98-0848
98-0853
98-1178

SB-99-0082-D
(By Judgment)

Respondent failed to adequately represent numerous clients. He took money from 11 clients and failed to do the promised or requested work, failed to return files and retainers, failed to communicate with clients and abandoned his clients. Respondent further failed to respond to the State Bar or cooperate in the investigation.

ER 1.2 ER 1.3 ER 1.4
ER 1.5 ER 1.6 ER 1.15
ER 1.16 ER 3.4(c) ER 5.1
ER 5.5 ER 8.1(b) ER 8.4
SCR 51(e) SCR 51(h) SCR 51(i)
SCR 51(k)

1 year
Suspension;
Disbarment +
Restitution

Matters
consolidated;
Disbarment +
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed
admitted by
default.
In aggravation:
9.22(c)(d)(e) and
(i); in mitigation:
9.32(c)(e) and
(l). File nos. 94-
1478 et al. were
dismissed.

Hineman, Phillip D.

12/18/00
DC Nos. 96-3100
98-0924 98-1364
SB-00-0094-D

(By Judgment)

In Count One, Respondent failed to diligently and competently represent a client in a PCR matter. In Count Two, Respondent and the client held divergent opinions regarding how the defense should proceed and ceased communicating effectively in a criminal matter. Respondent's representation was terminated. In Count Three, Respondent failed to timely respond to an accounting and itemized billing request and request for documents while representing a client in a criminal matter.

ER 1.1 ER 1.3 ER 1.4
ER 1.16(d) ER 3.2
ER 8.4(d)

Censure in file
no. 96-3100,
Diversion in file
nos. 98-0924 &
98-1364.

Censure + 6
months
Probation
(LOMAP) +
EEP +
Professionalism
Course; No PCR
matters during
Probation.

No discretionary
review

In aggravation: 9.32(c); in
mitigation: 9.32(a) and (l).

Hmielewski, Timothy J.

06/19/00
DC No. 96-1107
SB-00-0045-D

(By Judgment)

Respondent, while granted permission to practice *pro hac vice*, failed to disclose the existence of a pretrial agreement to the court. Respondent further was ordered to pay sanctions to the court for wrongfully expropriating for [his] own aims the resources of the court.

ER 3.3(a) ER 3.5 ER 4.1
ER 8.4(c) ER 8.4(d)

Censure

Censure

No discretionary
or *sua sponte*
review

Conduct deemed admitted
By default. In aggravation:
9.22(a)(e) and (g); no
mitigation. Respondent
should not be granted
permission to practice
Pro Hac Vice in AZ
without specific finding
by judge, subsequent to
Respondent's affirmative
duty of full disclosure in
this matter.

Horton, William C.

05/31/00

DC Nos. 97-0817

97-1706 97-1978

97-2535 98-1025

98-1083 98-1157

98-1221 98-1306

98-1341

SB-00-0041-D

(By Judgment)

Respondent was negligent in his handling of multiple client matters. The negligence included Respondent's failure to preserve claims. Respondent failed to advise clients as the case status and to abide by clients decisions concerning representation. Respondent failed to communicate with clients and failed to pursue child support collection. Respondent also failed to return unearned fees upon termination of representation and made false statements in the course of fee arbitration. Upon request, Respondent failed to return client files and falsely stated he had. Respondent further failed to file his affidavit while suspended, pursuant to 52(c)(8) and Rule 63(d). Respondent continued to practice law while suspended and staff used office law firm letterhead in corresponding with clients. He failed to inform the court and clients of his suspension. Additionally, Respondent distributed unauthorized of IOLTA funds.

ER 1.1 ER 1.2 ER 1.3
ER 1.4 ER 1.5 ER 1.15
ER 1.15(b) ER 1.16(d) ER 3.2
ER 3.3 ER 3.4(c) ER 5.3
ER 5.5 ER 7.1(a) ER 7.5(a)

Disbarment
Restitution

Disbarment
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed admitted
by default.
In aggravation: 9.22(a)
(b)(c)(d)(e)(f) and (i);
no mitigation

ER 8.1(a) ER 8.4(c) ER 8.4(d)
 ER 31(a)(3) SCR 33(c) SCR 43(d)
 SCR 51(e) SCR 51(k) SCR 52(c)(8)
 SCR 63(a) SCR 63(d)

Hull, Hugh W.

08/23/00
 DC Nos. 98-2408
 99-0781
 SB-00-0071-D

(By Judgment)

Respondent's MCLE check was returned for insufficient funds. In another matter, Respondent failed to communicate with his clients and to file the bankruptcy petition. Respondent failed to respond to the State Bar's inquiry of this matter.

ER 1.2 ER 1.3 ER 1.4
 ER 8.1(b) ER 8.4(c) SCR 51(h)
 SCR 51(i)

Accept
 Agreement for
 Censure + 1 year
 Probation
 (LOMAP and
 MAP) + EEP

Accept
 Agreement for
 Censure + 1 year
 Probation
 (LOMAP and
 MAP) + EEP

No discretionary
 review

In aggravation: 9.22(a)
 and (e); in mitigation:
 9.32(e) and (l).

Hustad, James R.

09/29/00
 DC Nos. 97-0576
 97-0640
 SB-00-0044-D

(By Judgment)

In one instance, Respondent failed to consult with his client concerning the objectives of representation, failed to keep the client reasonably informed as to the status of the case, failed to adequately safeguard funds or property belonging to the client and to properly deposit said funds into his IOLTA and failed to protect the client's interests when terminating representation. Additionally, Respondent knowingly made a false statement of material fact to the court and engaged in conduct prejudicial to the administration of justice. In another matter, Respondent failed to act with reasonable diligence

2 Censures

Disbarment &
 Restitution

Sua Sponte
 review declined

Conduct deemed
 admitted by default. In
 aggravation: 9.22(a) (d)
 and (i); in mitigation:
 9.32(c) and (d).

and promptness in representing the client, failed to adequately communicate with the client and engaged in conduct prejudicial to the administration of justice. Respondent further failed to respond to the State Bar's investigation of these matters.

ER 1.2 ER 1.3 ER 1.4
 ER 1.15 ER 1.16(d) ER 3.3
 ER 4.1 ER 8.1(b) ER 8.4(c)
 ER 8.4(d) SCR 43(a) SCR 43(d)
 SCR 44(a) SCR 44(b) SCR 51(h)
 SCR 51(i)

Johnson, Rodney G.

07/28/00
 DC No. 96-1091
 SB-00-0063-D

(By Judgment)

Respondent, as local counsel in a malpractice matter, failed to disclose the existence of a pre-trial agreement. Respondent was not aware of the agreement until well into trial and therefore his ability to take corrective action was limited.

Accept
 Agreement for
 Censure

Accept
 Agreement for
 Censure

No discretionary
 review

In aggravation: 9.22(i),
 but offset by 9.32(a);
 in mitigation: 9.32(a) (b)
 (e) and (l).

ER 3.3(a) ER 4.1

Kistler, James O.

12/28/00
 DC Nos. 97-0634
 99-2174
 SB-00-0098-D

(By Judgment)

In Count I, Respondent continued to participate in a court proceeding while on administrative suspension. Respondent failed to withdraw from the case or advise his client/court of his suspension. In Count II, Respondent used his old letterhead in correspondence advising another party

Accept
 Agreement for
 Censure; upon
 reinstatement,
 Probation (EEP)

Accept
 Agreement for
 Censure; upon
 reinstatement,
 Probation (EEP)

No discretionary
 review

In aggravation: 9.22(i);
 In mitigation: 9.32(a)
 (c)(e)(g) and (l).

of a claim pursued by a friend/tenant of Respondent. Respondent failed to advise the recipient of his suspension.

ER 5.5 ER 8.1(b) ER 8.4(d)
SCR 51(e) SCR 51(h) SCR 51(i)
SCR 51(k)

**MacDonald, II,
Theodore R.**

09/20/00
DC Nos. 95-0460
96-0344 96-0609
SB-00-0021-D

(By Judgment)

Respondent failed to act with reasonable diligence and promptness in representing clients in a domestic relations proceeding. Respondent failed to keep the clients informed as to the status of the case and failed to respond to requests for information. Respondent was instructed by the court to file appropriate documents evidencing an agreement and failed to do so. Respondent further failed to protect client's interests and failed to surrender client's papers in a timely manner. Respondent initially failed to cooperate with the State Bar but did so after a complaint was filed.

Censure

Censure +
extend current
Probation
(LOMAP and
MAP) for 6
months

No discretionary
review. State
Bar's Petition
for Review
denied

In aggravation: 9.22(a);
in mitigation: 9.32(b) (h)
(j) and (i). Conduct in this
instant matter occurred
during same time period
as Respondent's previous
discipline. Conduct
determined to be result
of neurological disorder
manifested by depression
and attention deficit
disorder.

ER 1.3 ER 1.4 ER 3.4
ER 8.1(b) SCR 51(e) SCR 51(h)
SCR 51(i) SCR 51(k)

McFadden, II, Robert

Respondent failed to perform services

2 year

2 year

No discretionary

Conduct deemed admitted

L.

09/29/00
DC Nos. 99-0724
99-0974 99-0975
99-1295 99-1520
SB-00-0072-D

(By Judgment)

for which her was retained. Respondent failed to communicate or respond to requests for information from clients. Respondent further failed to return unearned retainers and failed to return original documents. Additionally, Respondent engaged in the practice of law while suspended for non-payment of dues and noncompliance with MCLE. Respondent failed to respond or cooperate with the State Bar's inquiry of these matters.

ER 1.2 ER 1.3 ER 1.4 ER 5.5
ER 8.1(b) ER 1.16(d) SCR 51(h)
SCR 51(i)

Suspension +
Restitution

Suspension +
Restitution

or *sua sponte*
review

by default. In aggravation:
9.22(d) (e) and (i); in
mitigation: 9.32(a).

Merchant, Courtland S.

08/25/00
DC No. 98-2026
SB-00-0057-D

(By Judgment)

Respondent knowingly failed to comply with the rules of the tribunal and failed to comply with the court's order when she failed to fulfill her court ordered duties as an arbitrator, and then knowingly failed to appear as ordered at the Order to Show Cause hearing. Respondent further failed to respond or cooperate with the State Bar's investigation of this matter.

ER 3.4(c) ER 8.1(b) ER 8.4
SCR 51(e) SCR 51(h) SCR 51(i)
SCR 51(k)

6 month + 1 day
Suspension +
Restitution

6 month + 1 day
Suspension +
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed admitted
by default. In aggravation:
9.22(d) and (e); in
mitigation: 9.32(a) and (k)

Mettler, Jr., William R.

10/04/00

DC No. 97-1497

SB-00-0059-D

(By Judgment)

Respondent over a one year period converted client funds from his trust account totaling approximately \$18, 000.00

ER 1.15 SCR 43 SCR 44

30 day
Suspension + 3
year Probation
(LOMAP &
MAP) + CLE +
Participation in
solo practitioner
section of the
State Bar

30 day
Suspension + 2
year Probation
(LOMAP &
MAP) + CLE +
Participation in
solo practitioner
section of the
State Bar

No discretionary
review. State
Bar's Petition
for Review
denied.

In aggravation: 9.32(b)
(c) and (i); in mitigation:
9.32(c) (d) (e) (g) (h) (i)
(l) and (m). Significant
mitigation present with
direct causation
established between
misconduct and physical
disability which
was compounded by
mental impairment.

Meyer, Scott R.

09/29/00

DC Nos. 98-1078

98-1367

SB-00-0073-D

(By Judgment)

Respondent was retained to handle a personal injury matter. Respondent failed to communicate with his client. In another matter, Respondent was retained to defend a client in a civil suit. Respondent failed to communicate with the client and failed to appear at a hearing. In a third matter, Respondent filed pleadings with the court while suspended from the practice of law. Respondent further failed to respond or cooperate with the State Bar's inquiry of these matters.

ER 1.1 ER 1.2 ER 1.3 ER 1.4
ER 5.5 ER 8.1(b) SCR 51(h)
SCR 51(i)

Disbarment

Disbarment
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed
admitted by default. In
aggravation:
9.22(a) (c) (d) (e) (g)
and (i); no mitigation.

Miers, Donna L.

07/11/00
DC No. 96-1631
SB-00-0056-D

(By Judgment)

While representing a client in a dependency matter, Respondent failed to appear and failed to file an agreement of the parties. Respondent then filed a procedurally inaccurate and frivolous motion for contempt. After the motion for contempt was denied, Respondent filed a motion for a change of judge. The judge denied the motion, as it was frivolous and based on misleading affidavit. Respondent subsequently filed a frivolous appeal challenging the denial and then filed a frivolous request for the Supreme Court review to the Court of Appeal's Order.

ER 1.1 ER 3.1 ER 8.4(d)

1 year
Suspension

Censure; upon
reinstatement, 1
year Probation
(LOMAP) PM +
(Professionalism
course)

No discretionary
or *sua sponte*
review

Conduct deemed admitted
by default. In aggravation:
9.22(e) and (g); in
mitigation: 9.32(a)
and (f).

Moore, William E.

11/03/00
DC Nos. 97-0341
97-1158 97-1485
97-2296
SB-00-0078-D

(By Judgment)

Respondent engaged in multiple acts of negligence involving multiple clients and failed to respond or cooperate with the State Bar's investigation of these matters. In Count One, Respondent failed to fulfill duties as a court arbitrator and was removed by the court. In Count two, Respondent was retained to represent a client in a DUI matter. Respondent failed to communicate with the client and failed to appear for scheduled hearings. His inaction caused bench warrants to be issued for the client's arrest. Respondent also moved and failed to

Accept
Agreement for 2
year Suspension
(retroactive) +
Restitution; upon
reinstatement 1
year Probation
(LOMAP)

Accept
Agreement for 2
year Suspension
(retroactive) +
Restitution; upon
reinstatement 1
year Probation
(LOMAP)

No discretionary
or *sua sponte*
review

In aggravation: 9.22(c)
(d) and (i); in mitigation:
9.32(a) (c) (e) (g) and
(h). To a lesser degree
(physical disability).
Respondent voluntarily
removed himself from
the practice of law.

notify clients and failed to return unearned retainers. In Count three, respondent was retained in a DUI matter. Respondent failed to act with reasonable diligence and promptness, failed to communicate and failed to appear for hearings and court appearances. Respondent further failed to advise the client that his motor vehicle license was suspended and caused an arrest warrant to be issued. Respondent failed to abide by the client's decisions concerning representation, failed to execute a plea by mail, and failed to return the unearned retainer. In Count four, Respondent failed to appear for an arbitration hearing or advise the clients of a hearing and subsequently of an adverse award. New counsel was hired to set the award aside and Respondent agreed pay attorney's fees, but did not.

ER 1.2 ER 1.3 ER 1.4 ER 1.16
ER 3.2 ER 3.4(c) ER 8.1(b) ER 8.4
ER 8.4(d) SCR 51(e) SCR 51(h)
SCR 51(i) SCR 51(k)

Murphy, Jeffrey A.

04/21/00
DC No. 00-0447
SB-00-0018-D

(By Order)

Placed on interim suspension 04/21/00
by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Murray, David B.

03/23/00
DC No. 99-1657
SB-00-0013-RD

(By Judgment)

Rule 58(c) Reciprocal Discipline;
Sanction is identical to discipline
imposed by the Supreme Court of
California 11/19/98.

N/A

Disbarment

No discretionary
or *sua sponte*
review

Murray Stanley D.

12/18/00
DC Nos. 97-2165
98-1862
SB-00-0093-D

(By Judgment)

In one matter, Respondent represented
an elderly and destitute client as a
defendant in a civil action and was
unsuccessful. A judgment was awarded
the plaintiff and the client sold her
mobile home to satisfy the judgment.
Respondent oversaw additional
installment payments on the remaining
judgment balance and deposited those
payments into his personal business
account instead of his trust account.
Payments on the judgment were not
made on a timely basis and some
payments were not credited due to
insufficient funds, which was caused by
Respondent's errors in balancing his

Accept
Agreement for 6
month
Suspension;
upon
reinstatement 2
year Probation
(LOMAP) +
(EEP)

Accept
Agreement for 6
month
Suspension;
upon
reinstatement 2
year Probation
(LOMAP) +
(EEP)

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a)
(c) and (i); in
mitigation: 9.32(c)
(d) (e) and (m).

business account. In another matter, Respondent represented a client in a personal injury matter and won a judgment. After negotiating a reduction in the medical lien, respondent retained the difference for approximately 10 weeks.

ER 1.15 SCR 43 SCR 44

Musselman, Dennis J.

07/28/00
DC No. 99-2075
SB-00-0051-RD

Rule 58(c) Reciprocal Discipline; Sanction is identical to discipline imposed by the Fourth Judicial District of Utah.

N/A

2 year
Suspension

No discretionary
or *sua sponte*
review

(By Judgment)

Neuzil, Charles H.

06/01/00
DC Nos. 97-1663
97-2177
97-2624
98-0118
98-0256
98-0558
SB-00-0033-D

Respondent in several matters failed to adequately communicate with clients and failed to respond to their requests for information and files. Respondent also failed to diligently pursue the clients' interests. Respondent further failed to provide an accounting of services rendered and failed to return unearned retainers.

Accept
Agreement
for 1 year
Suspension +
Restitution

Accept
Agreement
for 1 year
Suspension +
Restitution

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a)
(c) and (d); in mitigation:
9.32 (b)(c) and (e).

(By Judgment)

ER 1.1 ER 1.2 ER 1.3
ER 1.4 ER 1.5 ER 1.15
ER 1.16(d) ER 8.4 SCR 51(e)
SCR 51(k)

Olds, Russell S.

11/22/00
DC Nos. 98-2561
99-0131 99-1707
SB-00-0089-D

(By Judgment)

In a three count complaint, Respondent was negligent in his supervision of staff which resulted in poor services to clients and advertisements that violated Supreme Court Rules.

ER 1.3 ER 5.3(b) ER 5.5(b)
ER 7.1(a) ER 7.1(g)

Accept
Agreement for
Censure +
Probation
(LOMAP)

Accept
Agreement for
Censure +
extend 1 year
Probation
(consecutive)
(LOMAP)

No discretionary
or *sua sponte*
review

Conduct deemed admitted
default. In aggravation:
9.22(a)(d); in mitigation:
9.32(b)(c) and (e)

Phelps, Jack L.

02/17/00
DC Nos. 97-1225
97-1564
97-1701
97-2026
97-2512
SB-00-0003-D

(By Judgment)

Respondent in a six count complaint, failed to communicate with multiple clients, failed to provide services on behalf of said clients and failed to inform the clients of the status of their case. Respondent also relocated his practice and failed to advise his clients and the court of the new location. Respondent further failed to respond or cooperate with the State Bar's inquiry of these matters.

ER 1.2 ER 1.3 ER 1.4
ER 1.16(d) ER 4.4 ER 8.1(b)
ER 8.4 ER 8.4(c) ER 8.4(d)
SCR 31(c)(3) SCR 51(h) SCR 51(i)

Disbarment &
Restitution

Disbarment &
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed admitted
by default.
In aggravation: 9.22(a)
(c)(d) and (j); no
mitigation.

Pillinger, Thomas C.

07/28/00
DC No. 95-0202
SB-00-0047-D

(By Judgment)

Respondent was found guilty of two counts of misdemeanor assault, one count of threatening and intimidation, and one count of criminal damage. Respondent later pled guilty to a violation of his criminal probation and was found guilty of driving on an administratively canceled driver's license.

ER 8.4 SCR 51(a) SCR 51(e)
SCR 51(k)

1 year
Suspension

6 month + 1 day
Suspension

No discretionary
or *sua sponte*
review

Conduct deemed
admitted by default.
In aggravation: 9.22(e); in
mitigation: 9.32(a).

Prince, Philip M.

02/17/00
DC No. 97-2186
SB-99-0091-D

(By Judgment)

While under suspension for nonpayment of dues, Respondent filed a notice of appearance and substantive pleadings in an attempt to assist a childhood friend with a domestic relations matter pro bono.

ER 5.5 ER 8.1(b) SCR 51(e)
SCR 51(h) SCR 51(i) SCR 51(k)

Accept
Agreement for 6
month
Suspension
(retroactive)

Accept
Agreement for 6
month
Suspension
(retroactive)

No discretionary
or *sua sponte*
review

In aggravation: 9.22(i);
in mitigation: 9.32(a).
Rule 71(c) suspended.

Roberson, Robert J.

09/14/00
DC No. 98-0736
SB-00-0074-D

(By Judgment)

Respondent was appointed to represent a client in a post conviction relief matter. Respondent failed to communicate and advise his client as to the status of the case. The client's post conviction issues were preserved by subsequent counsel. The Hearing Officer determined Respondent's lack of diligence could have caused the client harm.

ER 1.3 ER 1.4 ER 8.1(b)

Accept
Agreement for
Censure
Probation
(LOMAP) +
EEP

Accept
Agreement for
Censure + 2 year
Probation
(LOMAP) +
EEP

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a)
(c) (e) and (i); in
mitigation: 9.32(b)
and (e).

Rogers, Randy C.

07/28/00
DC Nos. 97-0526
97-1795
SB-00-0050-D

(By Judgment)

Respondent was retained to handle a domestic relations matter. Respondent performed some legal services; however, the client informed Respondent that he had reconciled with his spouse and requested a refund of the unused portion of his retainer. Respondent thereafter failed to abide by the client's decision concerning the objectives of his representation, failed to communicate with the client, failed to keep the client reasonably informed as to the case status, failed to comply with reasonable requests for information, an accounting and partial refund. Respondent also charged an unreasonable fee and failed to protect the client's interest.

ER 1.2 ER 1.3 ER 1.4
ER 1.5(a) ER 1.15(a) ER 1.15(b)
ER 1.16(d) ER 8.1(b) SCR 43(d)
SCR 44(a) SCR 51(h) SCR 51(i)

6 month + 1 day
Suspension +
Restitution; upon
reinstatement 2
year Probation
(PM)

1 year
Suspension +
Restitution; upon
reinstatement 2
years Probation
(LOMAP &
MAP)

No discretionary
or *sua sponte*
review

Conduct deemed admitted
By default. In
aggravation: 9.22(a)
(c) (d) and (e); no
mitigation.

Rothstein, William I.

04/28/00
DC No. 98-1716
SB-00-0036-D

(By Judgment)

Respondent while representing clients in avoiding foreclosure of their real and personal property, improperly notarized documents he signed on the client's behalf.

ER 4.1 ER 8.4(c) ER 8.4(d)

N/A

Accept
Agreement for
Censure +
Probation (EEP)

No discretionary
or *sua sponte*
review

No factors present in
aggravation; in mitigation:
9.32 (b)(e)(g)(l) and (m).

Roylston, George R.

05/31/00

DC Nos. 96-2092

97-0863

97-1153

97-1719

97-1778

97-2410

97-2424

97-2638

97-2720

98-0345

98-0725

98-0763

98-1017

98-1068

98-1182

98-1277

98-1349

98-1377

98-1384

98-1394

98-1530

98-1587

98-1696

98-1796

98-1956

SB-00-0039-D

(By Judgment)

Respondent was retained to represent several clients and committed numerous ethical violations as detailed in the 25-count complaint. Respondent failed to competently and diligently represent clients' interests; failed to adequately communicate with his clients and failed to advise them as to the status of their cases. In a post conviction relief matter, Respondent rendered ineffective assistance of counsel. Upon termination of the representation, Respondent failed to return records and turn over transcripts, despite being ordered to do so by the court. In another matter, Respondent misappropriated funds, forged the client's name on the settlement check; failed to account for her funds and made material misrepresentations to the client and the State Bar. Respondent filed pleadings and made court appearances during his suspension for nonpayment of dues and filed an affidavit stating he had not practiced law during his suspension. Respondent further failed to properly maintain his trust account and obtained court transcripts under false pretenses. Respondent also failed to return unearned retainers and cooperate with the State Bar in the investigation of these matters.

Disbarment +
Restitution

Disbarment +
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed
admitted by default.
In aggravation:
9.22(a)(c)(d)(e)(g)(i)
and (j); no mitigation

ER 1.1	ER 1.2	ER 1.3
ER 1.4	ER 1.5	ER 1.7
ER 1.8(a)	ER 1.15	ER 1.16
ER 1.16(d)	ER 3.2	ER 3.3
ER 5.5	ER 8.1(a)	ER 8.1(b)
ER 8.4	SCR 31	SCR 43
SCR 44	SCR 51(e)	SCR 51(h)
SCR 51(i)	SCR 51(k)	SCR 63

Savoy, John E.

08/28/00
DC No. 98-1042
SB-00-0070-D

(By Judgment)

While suspended, Respondent prepared a last will and testament for a client and subsequently transmitted the documents to devisees from the will under his legal letterhead. Respondent received no compensation for this service, as the client was a longtime friend and was aware of Respondent's suspension.

ER 5.5 SCR 51(e) SCR 51(k)

Accept
Agreement for
Censure

Accept
Agreement for
Censure

No discretionary
or *sua sponte*
review

In aggravation: Commissic
notes the presence of
9.22(a); in mitigation:
9.32(b) and (e).

Shank, Christopher G.B.

08/14/00
DC No. 00-1753
SB-00-0067-D

(By Order)

Placed on interim suspension by Order of the Supreme Court on 08/14/00 for a class 2 felony conviction for sexual exploitation of a minor and a class 6 felony conviction for sexual conduct with a minor.

N/A

N/A

Interim
Suspension

Silkey, Sr., John P.

12/08/00
DC No. 00-1850
SB-00-0069-D

(By Order)

Placed on interim suspension 12/08/00 by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Sill, Henry F.

04/26/00
DC Nos. 95-2024
96-1173
SB-00-0026-D

(By Judgment)

Respondent represented a client in a divorce proceeding. Respondent failed to return the client's phone calls and respond to facsimile transmissions and failed to return the file upon request to subsequent counsel. The client incurred additional attorney's fees and costs to recompile and duplicate the file. In a second matter, Respondent represented a client in a spousal maintenance matter. Respondent failed to communicate to the client the status of the case. Respondent failed to respond

N/A

Accept Amended
Agreement for
6 month
Suspension
retroactive +
Restitution + 1
year Probation
(LOMAP)

No discretionary
or *sua sponte*
review

In aggravation:
9.22(a)(c)(d)(e) and (i);
in mitigation: 9.32(b)(c)
(e)(h)(j) and (l).
Rule 71(c) suspended.

or cooperate with the State Bar in the investigation of these matters.

ER 1.4 ER 1.16(d) ER 8.1(b)
ER 8.4(d) SCR 51(h) SCR 51(i)

Sorenson, Cole D.

Placed on interim suspension by Order of the Supreme Court on 10/04/00.

N/A

N/A

Interim
Suspension

10/04/00

DC Nos. 00-1454

SB-00-0060-D

(By Order)

Summers, John A.

Respondent failed to communicate with his clients and failed to diligently pursue their legal matters. His actions caused harm to his clients, some in the form of adverse rulings. Respondent further failed to respond to the State Bar's investigation of this matter.

Accept
Agreement for 2
year Suspension
(retroactive) +
Restitution upon
reinstatement, 1
year Probation
(MAP +
LOMAP)

Accept
Agreement for 2
year Suspension
(retroactive) +
Restitution; upon
reinstatement, 1
year Probation
(MAP +
LOMAP)

Sua sponte
review declined

In aggravation: 9.22(d);
in mitigation: 9.32(b)(c)
(d)(h)(i) and (k).

02/15/00

DC Nos. 96-1881

97-0004

97-0242

97-1041

97-2298

97-2324

98-0198

SB-00-0004-D

(By Judgment)

ER 1.1 ER 1.2 ER 1.3
ER 1.4 ER 1.5 ER 1.15
ER 1.16(d) ER 3.2 ER 3.4(c)
ER 8.1(b) ER 8.4 ER 8.4(d)
SCR 51(h) SCR 51(i)

Tandy, Marshall D.

04/21/00
DC No. 00-0480
SB-00-0020-D

(By Order)

Placed on interim suspension 04/21/00
by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Tandy, Marshall D.

05/23/00
DC No. 99-0916
SB-00-0042-D

Respondent choose not to contest or
defend charges, but choose to consent
to disbarment

N/A

N/A

Consent to Disbarment

Toledo, Gustavo

11/08/00
DC Nos. 95-0829
96-1357 97-1137
97-1213 97-1267
97-1343 97-1940
97-2303 98-0224
SB-00-0079-D

(By Judgment)

Respondent in nine separate matters
failed to communicate with and to
provide competent representation to
clients. In most instances after being
paid a retainer, Respondent did not
provide the promised representation and
to the extent that he did provide
representation, it was largely
inadequate. Respondent further failed to
respond or cooperate with the State
Bar's investigation of these matters.

Accept
Agreement for 3
year Suspension
(retroactive);
upon
reinstatement, 1
year Probation
(LOMAP &
MAP)

Accept
Agreement for 3
year Suspension
(retroactive);
upon
reinstatement, 1
year Probation
(LOMAP &
MAP)

No discretionary
or *sua sponte*
review

In aggravation:
9.22(c)(d) and (h);
9.22(a) is present but
conduct occurred during
same time as this instant
matter and product of same
circumstances; in
mitigation: 9.32(a)(b)(c)(e)
(h)(i) and (l).

ER 1.1 ER 1.2 ER 1.3
ER 1.4 ER 1.5 ER 1.15
ER 1.16 ER 1.16(d) ER 8.1(b)
ER 8.4 ER 8.4(c) ER 8.4(d)
SCR 43 SCR 44 SCR 51(e)
SCR 51(h) SCR 51(i) SCR 51(k)

Valenzuela, Mario V.

02/14/00
DC No. 98-1934
SB-00-0011-D

(By Judgment)

Respondent represented a client in a personal injury matter. The fee agreement granted the Respondent a power of attorney to settle the case if the client became unavailable for any reason during the course of the case. The client became incarcerated and later housed in the psychiatric unit of the State Hospital. Respondent was unsuccessful in contacting his client and later learned the client had been deemed mentally incompetent. Respondent feared the case would languish and signed his client's name to the release, and his own name and his client's name on the settlement draft. Respondent then allowed a notary public to notarize the release, which falsely stated the client had personally appeared before her for signature.

ER 4.1(a) ER 8.4(c)

N/A

Accept
Agreement for
Censure

No discretionary
or *sua sponte*
review

In aggravation: 9.22(a)
and (i); in mitigation:
9.32(b)(e)(l) and (m).

Whitten Samuel V.

12/18/00
DC Nos. 97-2033
98-0431 98-1566
99-0407
SB-00-0086-D

Respondent was retained to handle a divorce and after accepting a retainer, performed little or no services for the client. Respondent billed the client for time he spent helping the client move from the marital residence. Respondent was also retained in an employment discrimination matter and thereafter

18 month
Suspension in
files 97-2033,
98-0431 and 98-
1566; Censure in
file 99-0407

2 year
Suspension +
Restitution

No discretionary
or *sua sponte*
review

Conduct deemed admitted
by default. Matters
consolidated.
In aggravation: 9.22(a)
(c) (d) and (e); in mitigatio
9.32(f).

(By Judgment)

abandoned his office and practice, and failed to notify clients. Additionally, Respondent failed to provide an accounting of costs, failed to return the client's file, failed to follow-up on a particular report and failed to provide the client with a copy of the motion for summary judgment. In the last matter, Respondent was retained in a custody matter. Respondent thereafter performed little or no work on the case and failed to communicate with the client. In file no. 99-0407, Respondent was retained for representation in a dissolution proceeding. At the conclusion Respondent was to forward a quick claim deed to opposing counsel. Respondent failed to forward the deed and the client's attempts to contact the Respondent regarding this matter were unsuccessful. In all of these matters Respondent failed to respond or cooperate with the State Bar's inquiry.

ER 1.2 ER 1.3 ER 1.4
ER 1.5 ER 1.15 ER 1.16
ER 1.16(d) ER 8.1(b) ER 8.4
SCR 51(h) SCR 51(i)